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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

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6 Wulfco a Limited Liability Company, a
7 Nevada limited liability company,

8 Plaintiff,

9 v.

10 Nye County, a political subdivision of the State
11 of Nevada,

12 Defendant.

Case No. 2:24-cv-00223-RFB-DJA

Order

13 Before the Court is Plaintiff's proposed stipulated discovery plan. (ECF No. 26). The
14 plan has certain deficiencies. First, Defendant has refused to sign the plan because Defendant
15 intends to move to stay discovery. However, Local Rule 26-1(a) requires that the parties stipulate
16 to the discovery plan. Additionally, the parties must also have a discovery plan to govern this
17 case while the motion to stay discovery is pending. Otherwise, Defendant effectuates a *de facto*
18 stay of discovery.

19 Second, Plaintiff's plan seeks a longer timeframe than that contemplated by the Local
20 Rules because it seeks to measure the discovery plan from the date Plaintiff filed the plan instead
21 of the date the first defendant answered or otherwise appeared as outlined in Local Rule 26-1(b).
22 However, Plaintiff does not seek special scheduling review as required by Local Rule 26-1(a).
23 Plaintiff also cites to an outdated version of the Local Rules by including an interim status report
24 deadline, which the Local Rules have not included since they were amended in April of 2020.
25 Similarly, Plaintiff cites to Local Rule 26-4 as the rule governing extensions of deadlines. But
26 that rule no longer governs extensions since the Local Rules were amended.

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1 **IT IS THEREFORE ORDERED** that Plaintiff's discovery plan (ECF No. 26) is **denied**
2 **without prejudice.** The parties must file a stipulated discovery plan on or before **September 23,**
3 **2024.**

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5 DATED: September 9, 2024

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9 DANIEL J. ALBREGTS
10 UNITED STATES MAGISTRATE JUDGE
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